

# Rules and Regulations

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## FEDERAL ELECTION COMMISSION

### 11 CFR Part 111

[Notice 1997-9]

#### Adjustments to Civil Monetary Penalty Amounts

**AGENCY:** Federal Election Commission.

**ACTION:** Final rules; correction of effective date.

**SUMMARY:** On March 12, 1997, the Commission published in the **Federal Register** final rules implementing the Debt Collection Improvement Act of 1996 ("DCIA"). The Commission is correcting the effective date of these new regulations to April 29, 1997.

**EFFECTIVE DATE:** April 29, 1997.

**FOR FURTHER INFORMATION CONTACT:** Ms. Susan E. Propper, Assistant General Counsel, or Ms. Rita A. Reimer, Attorney, 999 E Street, NW., Washington, DC 20463, (202) 219-3690 or (800) 424-9530.

**SUPPLEMENTARY INFORMATION:** On March 12, 1997, the Commission published in the **Federal Register** final rules implementing the Debt Collection Improvement Act of 1996 ("DCIA"), Public Law 104-134, section 31001(s), 110 Stat. 1321-358, 1321-373 (April 26, 1996). 62 FR 11316. In compliance with this statutory mandate, the rules created a new section 11 CFR 111.24 to increase by regulation the maximum amount of each civil monetary penalty enforced by the Commission by 10%. The DCIA states that the increased civil penalties apply only to violations that occur after the effective date of the new rules.

Because the Commission had no discretion in taking this action, these technical amendments were exempt from the notice and comment requirements of the Administrative Procedure Act at 5 U.S.C. 553(b)(B) and the legislative review requirements of the Federal Election Campaign Act at 2

U.S.C. 438(d). The Commission therefore announced that the new rules would become effective immediately upon publication in the **Federal Register**, i.e., March 12, 1997.

However, 5 U.S.C. 801(a)(4) now provides that final rules do not take effect until the date on which they are submitted to Congress for a congressional review that exists independently of the 2 U.S.C. 438(d) legislative review requirement. These rules were submitted to Congress for purposes of this latter review on April 29, 1997, so they became effective on that date. Therefore, the increased civil penalties apply to any violation that occurs after April 29, 1997.

Correction of Effective Date: 11 CFR 111.24, as published at 62 FR 11316, is effective as of April 29, 1997.

Dated: June 6, 1997.

**John Warren McGarry,**

*Chairman, Federal Election Commission.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 25

[Docket No. NM-138, Special Conditions No. 25-ANM-129]

#### Special Conditions: Jetstream Aircraft Limited Model 4101 Airplane; Continuous Power Reserve (CPR) System

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final special conditions.

**SUMMARY:** These special conditions are issued for the Jetstream Aircraft Limited Model 4101 airplane. This airplane will have a novel or unusual design feature associated with installation of the CPR system. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the airworthiness standards of 14 CFR Part 25.

**EFFECTIVE DATE:** July 14, 1997.

**FOR FURTHER INFORMATION CONTACT:** William Schroeder, FAA, Standardization Branch, ANM-113, Transport Airplane Directorate, Aircraft

Certification Service, 1601 Lind Avenue SW, Renton, Washington 98055-4056; telephone 425-227-2148; fax 425-227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Background

On June 7, 1994, Jetstream Aircraft Limited applied for approval of a design change (without a new airplane model designation) to Type Certificate No. A41NM for the installation of a CPR system on the Jetstream Model 4101 airplane. The Jetstream Model 4101 is a 30 passenger, 23,000 pounds maximum take-off weight, transport category airplane with two Allied Signal TPE331-14GR/HR series turbopropeller engines. The CPR system makes a CPR power rating available for the final take-off climb and en route phases of flight after failure of one engine.

The CPR power rating for this engine installation is equivalent to the maximum continuous power rating established for the engine under 14 CFR Part 33. Following engine failure, the CPR system automatically increases the engine maximum exhaust gas temperature (EGT) limit, which permits the operating engine's maximum continuous power rating to be obtained at higher ambient air temperatures. Increased engine hour and cycle maintenance factors apply for CPR power rating operation. Since the CPR power rating will only be available during engine-out conditions, the maximum power normally available with all engines operating will be less than the part 33-certified maximum continuous power rating at certain higher ambient temperature ranges.

The CPR system is novel when compared to those systems envisaged when the applicable regulations in part 25 were promulgated. Therefore, the airworthiness regulations in part 25 do not contain adequate or appropriate safety standards for airplanes with CPR systems installed. Special conditions are therefore prescribed to supplement the certification basis of record for the Jetstream Model 4101 airplane with a CPR system installed.

##### Type Certification Basis

Under the provisions of 14 CFR § 21.101, Jetstream Aircraft Limited must show that the Jetstream Model 4101, as changed, continues to meet the applicable provisions of the regulations